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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of: Gabriel G. Marcu

Serial No.: 10/663,574

Filed: September 16, 2003

For: Positioning A First Surface In A Pre-
Determined Position Relative To A Second
Surface

Group Art Unit: 3662

Examiner: LUKE D. RATCLIFFE

Conf. No.: 5291

Atty. Dkt.: 2095.000900

Client Docket: P3112

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MAIL STOP AF

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:

5-22-07
Date

Nancy Nolan
Signature

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed January 4, 2007, finally rejecting claims 1-8, 10-13, 18-23, 26-30, and 35-45. The three-month statutory date for filing this Notice of Appeal is April 4, 2007. This Notice of Appeal is being filed on or before June 4, 2007, therefore, a two-month extension is requested.

An extension of time is required to enable this paper to be timely filed and there is no separate Petition for Extension of Time filed herewith, therefore, this paper is to be construed as also constituting a Petition for Extension of Time Under 37 CFR § 1.136(a) for a period of two-months up to, and including, June 4, 2007, to enable this document to be timely filed.

05/30/2007 SFELEKE1 00000042 500786 10663574

01 FC:1401 500.00 DA
02 FC:1252 450.00 DA

The fee for filing this Notice of Appeal is \$500.00. The Commissioner is authorized to deduct the fee in the amount of \$500.00 from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2095.000900/P3112. Additionally, the two-month extension fee is \$450.00. The Commissioner is authorized to deduct said fee from William, Morgan & Amerson, P.C.'s Deposit Account 50-0786. In the event any other fees under 37 C.F.R. §§ 1.16 to 1.21 are required, the Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2095.000900/P3112.

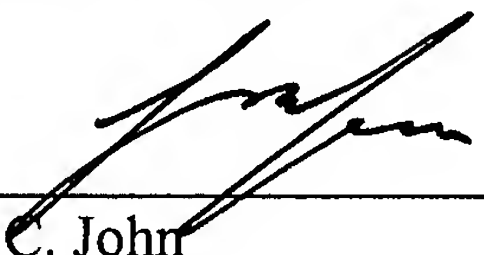
Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 62293

Date: May 21, 2007

By: _____


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